

REMARKS

I. Status of the Application

Claims 23-39 and 42 are pending in this application. Claims 40-41 have been withdrawn from consideration. In the January 22, 2008 office action, the Examiner:

- A. Objected to claims 29 and 30 due to informalities;
- B. Rejected claims 23 and 30 as being indefinite;
- C. Rejected claims 23-26, 28-34, 37-39 and 42 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,197,355 to Klaus; and
- D. Deemed claims 27, 35 and 36 allowable if rewritten in independent form.

In this response, applicants have amended claims 24, 26-30, 35, 36 and have cancelled claims 23, 25 and 40-42. Applicants respectfully submit that the claims are now in a condition for allowance. Reconsideration and allowance of the application is respectfully requested.

II. The Objections to Claims 29 and 30

The Examiner objected to claims 29 and 30 for specified informalities, and suggested amendments. (January 22, 2008 office action at p.2). Claims 29 and 30 have been amended as suggested by the Examiner. Accordingly, it is respectfully submitted that the objections to the claims are in error and should be withdrawn.

III. The Indefiniteness Rejections

The Examiner rejected claim 23 as allegedly being indefinite. In one of the grounds of

rejection, the Examiner stated that the specification “fails to teach a capacitor having a programmable capacitance.” (*Id.*) The Examiner stated that the specification teaches a programmable capacitor network, but not a programmable capacitor.

This ground of rejection is respectfully traversed. Programmable capacitors are well known in the art. Thus, the scope of the claim would be readily identifiable by one of ordinary skill in the art. Nevertheless claim 23 (and other claims) have been amended to recite a “programmable capacitor unit”, which would cover a programmable capacitor network as well as the well-known types of programmable capacitors. It is respectfully submitted that this amendment addresses the issue with respect to the programmable capacitor.

Another ground for rejection of claim 23 identified by the Examiner relates to the recitation of “a circuit node arranged to charge to an operating voltage”. The Examiner stated that a node itself could not charge, but that a capacitor attached to a node could be charged. The limitation in question has been amended to recite “a programmable capacitor unit coupling a circuit node to a reference potential, programmable capacitor unit arranged to charge to an operating voltage”. It is respectfully submitted that this amendment addresses the concern of the Examiner with respect to the “circuit node”.

In view of the amendments to claim 23 and the foregoing remarks, it is respectfully submitted that the indefiniteness rejection of claim 23 should be withdrawn.

The Examiner also rejected to claim 30 for claiming four switches connected in series between the circuit node and the reference potential node. The Examiner alleged that this limitation was inconsistent with the drawings. (*Id.* at p.3). Claim 30 has been amended to recite that only the first, second and third switches are coupled between the circuit node and

the reference potential node. This is clearly shown in Figs. 11 and 13. Accordingly, it is respectfully submitted that the amendment addresses the Examiner's issue with respect to the first, second, third and fourth switches.

In view of the amendments and the foregoing remarks, it is respectfully submitted that the indefiniteness rejections of claims 23 and 30 are moot and should be withdrawn.

IV. The Obviousness Rejections are Moot

The Examiner deemed claims 27, 35 and 36 to be allowable if rewritten independent format. Each of claims 27, 35 and 36 has been rewritten in independent format. Accordingly, each of claims 27, 35 and 36 are allowable over the prior art of record. Moreover, all of the other pending claims depend from one of claims 27, 35 and 36. As a result, all of the other claims are also allowable over the prior art of record.

As a consequence, it is respectfully submitted that the obviousness rejections are moot and should be withdrawn.

V. Conclusion

For all of the foregoing reasons, it is respectfully submitted the applicant has made a patentable contribution to the art. Favorable reconsideration and allowance of this application is therefore respectfully requested.

In the event applicant has inadvertently overlooked the need for an extension of time or payment of an additional fee, the applicant conditionally petitions therefore, and authorizes any fee deficiency to be charged to deposit account 13-0014.

Respectfully submitted,



Harold C. Moore
Attorney for Applicants
Attorney Registration No. 37,892
Maginot Moore & Beck
Chase Tower
111 Monument Circle, Suite 3250
Indianapolis, Indiana 46204-5109
Telephone: (317) 638-2922